



EW 1764

PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

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Application Number

09/869,987

Filing Date

01/14/2000

First Named Inventor

Richard A. Demmin et al.

Art Unit

1764

Examiner Name

James Arnold, Jr.

Attorney Docket Number

JHT-0002 (P1997J057D)

### ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):  
Communication requesting entry of previously filed RCE and withdrawal of Notice of Abandonment

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name  
ExxonMobil Research and Engineering Company

Signature

Printed name  
Gerard J. Hughes

Date  
4/13/2005

Reg. No. 41,855

### CERTIFICATE OF TRANSMISSION/MAILING

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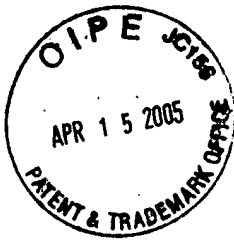
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Date  
04/13/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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*PATENT*

Attorney's Docket No. JHT-0002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Richard A. Demmin et al.**

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Examiner: James Arnold, Jr.

Serial No.: 09/869,987

Group Art Unit: 1764

Filed: **January 14, 2000**

Titled: **HYDROFINING PROCESS USING BULK  
GROUP VIII/GROUP VIB CATALYSTS**

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**The Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**COMMUNICATION**

Sir:

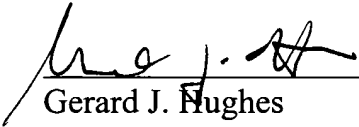
Applicants have received a Notice of Abandonment dated January 31, 2005 due to a failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance, dated June 25, 2004. Applicants filed a Request for Continued Examination (RCE) on September 22, 2004, which included a Form 1449, but this RCE was not entered.

Applicants respectfully request entry of the Request for Continued Examination filed on September 22, 2004 and withdrawal of the Notice of Abandonment. Copies of the RCE are submitted herewith.

Serial No.: 09/869,987  
Communication dated: April 13, 2005  
Reply to Office Action of: January 31, 2005  
Atty. Docket No.: JHT-0002 (P1997J057D)

Respectfully submitted,

Date: 13 April 2005

  
Gerard J. Hughes  
Attorney for Applicants  
Reg. No. 41,855  
Tel. No. (225) 977-4942

*(Address to which correspondence is to be sent)*

ExxonMobil Research and Engineering Company  
P.O. Box 900  
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# Auto-Reply Facsimile Transmission



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Page

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09/22/2004 14:27 2259771025 EMR BATCH ROUSE PAGE 01									
VIA FACSIMILE TO 1-703-872-9306									
<p><b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b></p> <p><small>Subsection (d) of 35 U.S.C. § 428, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).</small></p>									
<p><b>Application Number</b> 09/867,987</p> <p><b>Filing Date</b> 1/14/2000</p> <p><b>First Named Inventor</b> R.A. Dermmin, et al.</p> <p><b>Group Art Unit</b> 1764</p> <p><b>Examiner Name</b> James Arnold, Jr.</p> <p><b>Attorney Docket Number</b> JHT-0002</p>	<p><small>PTO 5820 (REV. 00)</small> Approved for use through 10/1/2004. CUE 585-1011 U.S. Patent and Trademark Office, U.S. Department of Commerce Official Use Only. This document is not to be distributed outside the USPTO. It is a confidential document and its use is restricted to the USPTO. It is not to be used for any other purpose.</p>								
<p>This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.</p> <p><b>NOTE:</b> 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO 5820/20) instead of a RCE to re-solicit for the patent term adjustment provisions of the AIPA. See Chapter 16 Application Change after and Provisional Application Provisions Part Rule, 60 Fed. Reg. 82082 (Aug. 18, 2000); Interim Rule, 60 Fed. Reg. 14852 (Mar. 22, 2000), 1339 Off. Gaz. Part. Office (Apr. 1, 2000), which establishes RCE practice.</p>									
<p>1. <b>Submission required under 37 C.F.R. § 1.114</b></p> <p>a. <input type="checkbox"/> Previously submitted</p> <p>i. <input type="checkbox"/> Consider the amendment(s) filed under 37 C.F.R. § 1.116 previously filed on _____ <small>(Any amended amendment(s) referred to above will be entered)</small></p> <p>ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</p> <p>iii. <input type="checkbox"/> Other _____</p> <p>b. <input checked="" type="checkbox"/> Enclosed</p> <p>i. <input type="checkbox"/> Amendment/Reply</p> <p>ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</p> <p>iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)</p> <p>iv. <input type="checkbox"/> Other _____</p>									
<p>2. <b>Miscellaneous</b></p> <p>a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.170 required)</p> <p>b. <input type="checkbox"/> Other _____</p>									
<p>3. <b>Fees</b> The RCE fee under 37 C.F.R. § 1.114, is required by 37 C.F.R. § 1.114 when the RCE is filed.</p> <p>a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, in addition to any overpayments, to Deposit Account No. 05-1330</p> <p>i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)</p> <p>ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.139 and 1.17)</p> <p>iii. <input checked="" type="checkbox"/> Other Any additional fees required, _____</p> <p>b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed</p> <p>c. <input type="checkbox"/> Payment by credit card (Form PTO-439 required)</p>									
<p><b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b></p> <table border="1" style="width: 100%;"> <tr> <td>Name (Print/Type)</td> <td>Jessy J. Kliebert</td> <td>Registration No. (Attorney/Agent)</td> <td>48,227</td> </tr> <tr> <td>Signature</td> <td></td> <td>Date</td> <td>September 22, 2004</td> </tr> </table>		Name (Print/Type)	Jessy J. Kliebert	Registration No. (Attorney/Agent)	48,227	Signature		Date	September 22, 2004
Name (Print/Type)	Jessy J. Kliebert	Registration No. (Attorney/Agent)	48,227						
Signature		Date	September 22, 2004						
<p><b>CERTIFICATE OF TRANSMISSION / MAILING</b></p> <p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO as requested with the United States Postal Service with sufficient postage so that it will be delivered to the addressee in the event of a transmission failure.</p> <table border="1" style="width: 100%;"> <tr> <td>Name (Print/Type)</td> <td>Shannon J. Malocchi</td> <td>Date</td> <td>September 22, 2004</td> </tr> <tr> <td>Signature</td> <td></td> <td></td> <td></td> </tr> </table> <p><small>Before Your Claimant, this form is submitted to the USPTO as requested with the United States Postal Service with sufficient postage so that it will be delivered to the addressee in the event of a transmission failure. It is not to be used for any other purpose. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20221. PTO FORM 2262 OF COMPLETED FORMS TO THIS ADDRESS. 22ND Fee and Guidelines 7 apply to the telephone 400-486. For information on Patent P.O. Box 1400, Alexandria, VA 22303-1400.</small></p>		Name (Print/Type)	Shannon J. Malocchi	Date	September 22, 2004	Signature			
Name (Print/Type)	Shannon J. Malocchi	Date	September 22, 2004						
Signature									
<p>PAGE 1/3 RCVD AT 9/22/2004 3:19:38 PM [Eastern Daylight Time] SVR:USPTO-EFAXF-17 CNIS:8729308 CSID:2259771025 DURATION (mm:ss):01:20</p>									